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August 18, 2020

BY ECF

The Honorable Renee M. Bumb
United States District Court
District of New Jersey
Mitchell H. Cohen Courthouse
4th and Cooper Street
Camden, New Jersey 08101

**Re: *Aryeh Goodman v. David Ortiz*
20 Civ. 7582 (RMB)**

Dear Judge Bumb:

We have been retained by Petitioner Rabbi Aryeh Goodman in connection with his petition for a writ of *habeas corpus*, originally filed *pro se*. We write in connection with our concurrent filing of Rabbi Goodman's Reply (the "Reply") to Respondent David Ortiz's Answer in opposition to the original Petition.¹ After reviewing the Petition and the Answer, we respectfully submit that Rabbi Goodman remains in prison past the date on which the law required his release. Accordingly, we write to request the Court's assistance in mitigating the harm that Rabbi Goodman faces as a result.

We appreciate that the Court established a schedule requiring Rabbi Goodman's Reply to be filed by September 24, 2020. The government's opposition suggests that the dispute has been narrowed to a question of statutory interpretation of the First Step Act. There appears to be no dispute that if the First Step Act sections at issue are applicable immediately (as Petitioner contends), as opposed to being deferred until January 15, 2022 (as Respondent contends), Rabbi Goodman's release date from incarceration at Fort Dix would have passed on or about July 5, 2020.² This presents the possibility that Rabbi Goodman is being unlawfully detained in excess of what the law requires, which is precisely contrary to Congress' intent when it passed the First Step Act. For this reason, we filed the Reply as soon as was practicably possible.

We respectfully request that Your Honor consider accelerating consideration of this matter under these unique circumstances. We are prepared to file a motion for a temporary restraining

¹ In accordance with Local Rule 101.1(c), we have filed this letter with the assistance of local counsel, Thomas R. Valen of Gibbons P.C., who has entered an appearance as counsel of record for Petitioner. Concurrently with the Reply and this letter, Mr. Valen has also filed a motion with Magistrate Judge Donio for our *pro hac vice* admission.

² As stated in Respondent's Answer (at 2), Rabbi Goodman's release date to home confinement, without any adjustment, would be October 27, 2020.

order should the Court deem that to be a preferable mechanism for addressing the urgency and irreparable harm to which Rabbi Goodman is currently being subjected, but paused before doing so given that the issue is now fully briefed and before the Court. Alternatively, as we state in the Reply, we request that Your Honor order Rabbi Goodman's release pending adjudication of these issues. Doing so would ensure that the continuing harm of potentially excessive incarceration will be abated.

We are available for a conference should the Court desire additional information or wish to discuss these issues.

Very truly yours,



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